

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

<b>IN RE:</b> <b>AMY M. SCHISLER,</b>     <b>Debtor(s).</b>	) ) ) ) ) )	<b>Case No. 09-13760-R (Chapter 13)</b>
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**SECOND AMENDED CHAPTER 13 PLAN**

LENGTH OF PLAN: SIXTY (60) MONTHS.

PLAN PAYMENT: Debtor shall pay \$750.00 months 1-3; \$870.00 months 4-60. The Trustee shall deduct his fee from each payment pursuant to 11 U.S.C. § 1326(b)(2).

COMMENCEMENT: Plan payments shall commence thirty days from the date the Petition is filed. First Payment Due: December 25, 2009.

**PRIORITY CLAIMS** (To be paid in full without interest):

CLAIMANT	DESCRIPTION	CLAIM AMOUNT	HOW PAID, MONTHLY PAYMENT, TOTAL
J. Scott McWilliams	Attorney fees	\$2,000.00	1-23 @ \$83.33 24 <sup>th</sup> @ \$83.41 <b>\$2,000.00</b>
OTC	Sales Tax	\$6,757.40	1-3 @ \$35.00 4-24 @ \$44.50 25-36 @ \$125.00 37-59 @ \$175.75 60 <sup>th</sup> @ \$175.65 <b>\$6,757.40</b>

**CLAIMS ENTITLED TO ADEQUATE PROTECTION PURSUANT TO 11 U.S.C.**

**§1326(a)(1)(c).** The following claimants are provided adequate protection in the form of a lien on each pre-confirmation plan payment to the Chapter 13 Trustee in the amount stated below for each claimant, subject to the provisions of the Court's Misc. Order No. 162:

**SECURED CLAIMS** (Exclusive of home mortgages):

<b>CLAIMANT</b>	<b>CLAIM AMOUNT</b>	<b>COLLATERAL</b>	<b>ALLOWED CLAIM AMOUNT</b>	<b>INT. RATE</b>	<b>HOW PAID, MONTHLY PAYMENT, TOTAL</b>
Chrysler Financial	\$33,123.92	2006 Chrysler 300	\$22,500.00	8%	1-60 @ \$456.22 <b>\$27,373.20</b>
HSBC Bank Nevada, N.A.	\$542.65	Goods Sold	\$542.65	8%	1-3 @ \$0.00 4-13 @ \$57.41 <b>\$574.10</b>

NOTE: Secured creditors shall retain their liens to the extent of the value stated above. The allowed secured claim of each secured creditor shall be the amount of the value stated above with any balance of the claim as filed being allowed as an unsecured claim, with the lien of the creditor being avoided on the unsecured portion pursuant to 11 U.S.C. § 506(d).

**CO-DEBTOR CLAIM: NONE**

**PROPERTY TO BE SURRENDERED:** These creditors shall be allowed to file an unsecured claim within 60 days of confirmation. If no claim is filed, this creditor shall not receive any distribution under the plan.

<b>CLAIMANT</b>	<b>DESCRIPTION</b>	<b>CLAIM AMOUNT</b>	<b>EXPLANATION</b>
Citizens Security Bank & Trust Company	2004 Ford P/U	\$17,724.89	Property surrendered in accordance with Sec. 1325 (a)(5)(c)

**R.E./MORTGAGES:**

<b>CLAIMANT</b>	<b>DESCRIPTION</b>	<b>ALLOWED CLAIM AMOUNT</b>	<b>INT. RATE</b>	<b>HOW PAID, MONTHLY PAYMENT, TOTAL</b>
BAC Home Loans Servicing	Mortgage	\$127,439.95	Kx	*Debtor shall continue with all regular post-petition mortgage payments directly to the creditor as they come due.
BAC Home Loans Servicing	Mortgage Arrearage	\$3,422.46	N/A	1-35 @ \$95.07 36 <sup>th</sup> @ \$95.01 <b>\$3,422.46</b>

\*This debt is a long-term debt, payments to this creditor shall continue upon conclusion of the plan.

**EXECUTORY CONTRACTS: N/A.**

**UNSECURED CLAIMS:** All claims not specifically provided for above and those relegated to unsecured status above shall be paid a general unsecured claim, without priority, on a prorated basis.

Total filed and allowed unsecured claims per schedule including OTC:	\$40,638.90
Claims relegated to unsecured status:	\$ 450.00
Total projected unsecured claims:	\$41,088.90

Approximated percentage payback to holders of unsecured claims:	<b><u>16%</u></b>
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**OTHER PROVISIONS:**

- 1) All property of the estate under 11 U.S.C. § 1306 shall remain property of the estate. The Automatic Stay shall remain in force and effect until the conclusion of the case, or other Order from the Court.
- 2) All claims will be treated as set forth above unless a creditor objects prior to the Confirmation Hearing and files a claim within ninety (90) days after the first date set for the meeting of creditors called pursuant to 11 U.S.C. § 341(a).
- 3) Creditors who fail to file a claim within the time stated in paragraph two (2) above may not receive any distributions under this Plan.
- 4) The provisions of Contracts with secured creditors are incorporated herein except as modified by this Plan and the Order Confirming Plan.
- 5) The above-named debtor(s) shall be enjoined from incurring any additional debt without prior approval of the court except such debt as may be necessary for emergency medical or hospital care.
- 6) Creditors will be enjoined and prohibited from assessing late charges, penalties, or other fees by virtue of the manner in which payments are made, or by virtue of the timing of payments under this Plan made by the Trustee.

Dated: April 14<sup>th</sup>, 2010.

Respectfully submitted,

By: s/ J. Scott McWilliams  
J. Scott McWilliams, OBA # 11676  
1612 South Cincinnati Ave.,  
Tulsa, OK 74119  
Ph. (918) 583-8197  
Fax (918) 592-0842  
*Attorney for Debtor*